

01-R-0025

Entered - 11/14/00 - sb  
CL00L0688 - DIANNE C. MITCHELL

CLAIM OF: **RODNEY SMITH,**  
through his attorney,  
**David M. Sobell**  
**1750 Peachtree Street, NW**  
**Suite 201**  
**Atlanta, Georgia 30309**

For damages alleged to have been sustained as a result of personal  
injuries on August 2, 2000 at the Atlanta Airport.

THIS ADVERSED REPORT IS APPROVED

BY:

  
ROBERT N. GODFREY  
DEPUTY CITY ATTORNEY

ADVERSED BY  
CITY COUNCIL JAN 16 2001


ADVERSE REPORT

P.S. & h.A.

DATE

1/16/01

C. T. Martin



Clara Henigman

W. W. W. W.



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

January 26, 2001

David Sobell  
Attorney at Law  
1750 Peachtree Street, NW  
Suite 201  
Atlanta, GA 30309

01-R-0025

RE: Rodney Smith

Dear Attorney Sobell

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on January 16, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 00L0688

Date: December 27, 2000

Claimant /Victim RODNEY SMITH  
BY: (Atty) David M. Sobell  
Address: 1750 Peachtree Street, NW, Suite 1750, Atlanta, Georgia 30309  
Subrogation: Claim for Property damage \$ Bodily Injury \$ not stated  
Date of Notice: 11/13/00 Method: Written, proper X Improper         
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 08/02/00 Place: Atlanta Airport  
Department: Aviation Division:         
Employee involved        Disciplinary Action:       

NATURE OF CLAIM: The claimant alleges he was injured while passing through a security checkpoint at the Atlanta Airport. The claim has been forwarded to the security company for handling.

**INVESTIGATION:**

Statements: City employee        Claimant        Others        Written        Oral         
Pictures        Diagrams        Reports: Police        Dept Report        Other         
Traffic citations issued: City Driver        Claimant Driver         
Citation disposition: City Driver        Claimant Driver       

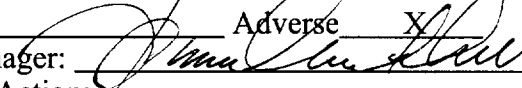
**BASIS OF RECOMMENDATION:**

Function: Governmental        Ministerial         
Improper Notice        More than Six Months        Other        Damages reasonable         
City not involved        X Offer rejected        Compromise settlement         
Repair/replacement by Ins. Co.        Repair/replacement by City Forces         
Claimant Negligent        City Negligent        Joint        Claim Abandoned       

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

**RECOMMENDATION:**

Pay \$        Adverse X Account charged: 1A01        2J01        2H01         
Claims Manager:  Concur/date 12-28-00  
Committee Action:        Council Action

RCS# 2563  
1/16/01  
4:18 PM

Atlanta City Council

Regular Session

Claims

MULTIPLE

Unfavorable Items 9-33

01-R-0012	01-R-0023	ADOPT	
01-R-0013	01-R-0024		
01-R-0014	01-R-0025	YEAS:	13
01-R-0015	01-R-0026	NAYS:	0
01-R-0016	01-R-0027	ABSTENTIONS:	0
01-R-0017	01-R-0044	NOT VOTING:	3
01-R-0018	01-R-0045	EXCUSED:	0
01-R-0019	01-R-0047	ABSENT	0
01-R-0020	01-R-0048		
01-R-0021	01-R-0049		
01-R-0022	01-R-0050		
	01-R-0051	01-R-0052	

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Wooldard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	NV Boazman	NV Pitts

MULTIPLE